

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

LOURDES J. RODRIGUEZ,)	Case No.: 1:19 CV 2941
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant)	<u>ORDER</u>

Defendant the Commissioner of Social Security (“Commissioner”) denied Plaintiff Lourdes Rodriguez’s (“Plaintiff” or “Rodriguez”) application for Supplemental Security Income. Plaintiff sought judicial review of the Commissioner’s decision, asserting that the Administrative Law Judge’s (“ALJ”) finding regarding Plaintiff’s residual functional capacity is not supported by substantial evidence. (Pl.’s Br. at PageID #1620, ECF No. 11.) The Commissioner filed a Response Brief opposing Plaintiff’s arguments, and Plaintiff filed a Reply Brief. (ECF Nos. 13, 14.) Pursuant to Local Rule 72.2(b)(1), the court referred the case to Magistrate Judge Thomas Parker (“Magistrate Judge” or “Judge Parker”) to prepare a Report and Recommendation (“R & R”).

Judge Parker submitted an R & R on November 30, 2020, recommending that the court affirm the Commissioner’s decision. (ECF No. 15.) The R & R finds that substantial evidence supports the ALJ’s conclusion that Plaintiff “had the residual functional capacity to perform light work,” with certain restrictions, and that she could perform a significant number of jobs in the

national economy given her residual functional capacity, age, education, and work experience. (*Id.* at PageID #1672.) Although Plaintiff asserts that the ALJ improperly discounted favorable evidence from various medical professionals, the R & R concludes that the ALJ assigned appropriate weight to each doctor's opinions and adequately explained his reasoning. (*Id.* at PageID #1675–80.) The R & R emphasizes that the medical opinions Plaintiff seeks to bolster do not necessarily help Plaintiff's case, and, in any event, they are not entitled to controlling weight because they are not from treating physicians. (*See id.*) Because the Magistrate Judge found no legal error, the R & R recommends affirming the Commissioner's decision.

Neither party submitted objections, which were due by December 14, 2020. Accordingly, this matter is ripe for review.

The court finds, after careful *de novo* review of the R & R and all other relevant documents in the record, that the Magistrate Judge's conclusions are fully supported by the record and controlling case law. Accordingly, the court adopts as its own Judge Parker's R & R (ECF No. 15). The court hereby affirms the Commissioner's decision.

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

December 18, 2020